

AMENDED IN SENATE JUNE 21, 2001

AMENDED IN ASSEMBLY MAY 31, 2001

CALIFORNIA LEGISLATURE—2001–02 REGULAR SESSION

ASSEMBLY BILL

No. 396

Introduced by Assembly Member Papan

February 20, 2001

An act to amend Section 8263.1 of the Education Code, relating to child care.

LEGISLATIVE COUNSEL'S DIGEST

AB 396, as amended, Papan. Child care services.

Under the existing Child Care and Development Services Act, the Superintendent of Public Instruction is charged with the responsibility of developing standards for the implementation of child care and development programs. Existing law defines the term "income eligible" for the purposes of that act as a family's adjusted monthly income that is at or below 75% of the state median income.

This bill would require the State Department of Education to assess and report on the effect of using regional median income in the definition of "income eligible" rather than state median income.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 8263.1 of the Education Code is
2 amended to read:



1 8263.1. (a) For purposes of this chapter, “income eligible”
 2 means that a family’s adjusted monthly income is at or below 75
 3 percent of the state median income, adjusted for family size, and
 4 adjusted annually. The income of a recipient of federal
 5 supplemental security income benefits pursuant to Title XVI of the
 6 Federal Social Security Act (42 U.S.C. Sec. 1381 et seq.) and state
 7 supplemental program benefits pursuant to Title XVI of the
 8 Federal Social Security Act and Chapter 3 (commencing with
 9 Section 12000) of Part 3 of Division 9 of the Welfare and
 10 Institutions Code shall not be included as income for the purposes
 11 of determining eligibility for child care under this chapter.

12 (b) As of January 1, 1998, children in subsidized child care
 13 programs with an exit criteria of 100 percent of the state median
 14 income, whose family income adjusted for family size, is above 75
 15 percent of the state median income shall not be displaced and shall
 16 continue to receive child care services as long as they continue to
 17 meet the criteria that apply to the program on December 31, 1997.

18 ~~SEC. 2. Section 8354 of the Education Code is amended to~~
 19 ~~read:~~

20 ~~8354. (a) The third stage of child care begins when a funded~~
 21 ~~space is available. CalWORKs recipients are eligible for the third~~
 22 ~~The parent fee schedule for these programs in effect on December~~
 23 ~~31, 1997, shall continue to be applied until the department adopts~~
 24 ~~a new fee schedule that applies to these families.~~

25 (c) The State Department of Education shall assess the impact
 26 of changing from utilizing the state median income to utilizing the
 27 regional median income to determine a family’s eligibility for
 28 child care and shall report to the Legislature by September 1, 2002.
 29 The report shall include the projected impact on the number of
 30 children and families likely to be served, the impact on costs, a
 31 description of proposed regions, and other factors the department
 32 deems significant.

